

THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

JIM TRAKAS	)	CASE NO: 1:18 CV 1798
	)	
PLAINTIFF	)	JUDGE: Donald Nugent
	)	
vs.	)	MOTION FOR INJUNCTIVE
	)	RELIEF
CONSERVATIVE ALLIANCE	)	
POLITICAL ACTION COMMITTEE, et al	)	
	)	
DEFENDANTS	)	
	)	

NOW COMES, the Petitioner James P. Trakas, by and through the undersigned counsel and does hereby petition this Honorable Court pursuant to Civil Rule 65(A) for a TEMPORARY RESTRAINING ORDER enjoining any of the Defendants from further disseminating or participating in the dissemination of ANY STATEMENTS WHATSOEVER about, regarding or eluding to Petitioner until AFTER NOVEMBER 15<sup>th</sup>, 2018. The reasons for this Motion are more full set forth in the affidavit of facts attached hereto,

Respectfully submitted,

/s/ David J. Horvath  
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Independence, OH 44131  
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AFFIDAVIT OF JAMES P TRAKAS AND COUNSEL PER RULE 65(A)

The undersigned James P Trakas, being first duly sworn and cautioned according to law do depose and state as enumerated hereunder.

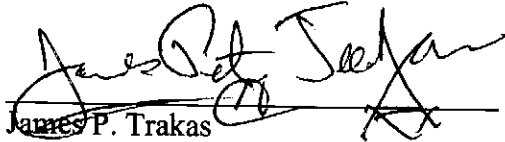
- 1) That Jim Trakas, aka James P. Trakas has been the subject of numerous false and defamatory statements issues by one or more of the Defendants.
- 2) That these statements are not only misleading in their content but in their sponsorship.
- 3) The advertisements and political flyers and TV ads claim to be made by the "Conservative Alliance".
- 4) This group is NOT, upon information and belief aligned with ANY CONSERVATIVE political movement, group, PAC or dogma.
- 5) The sole purpose of these advertisements is to injure the reputation of those targeted, including myself. The PAC was active in Oklahoma races two months ago, and have the capacity to continue false attacks. I, as someone who has run for public office twelve times, have been subject to legitimate criticisms of my record and stands on issues. National news stories have been written and are being written by The Daily Beast and New York Times, outlining the nefarious nature of this PAC, and how it is not "conservative" but is used as an attack PAC by political consultants.
- 6) The effect of these false claims has been to increase negative perceptions of me so as to make my election to The Ohio House of Representatives more difficult. Legitimate issues associated with political advertising can be overcome, but illegitimate, demonstratable false attacks are extremely difficult to overcome, jeopardizing my ordinarily good prospects of earning election to The Ohio House of Representatives running as the

Republican nominee in a district that has elected a Republican every two years since 1992.

- 7) I have unequivocally suffered adverse reactions in my home community and others due to the calculated and designed attack on my character.
- 8) These ads have used such offensive and defamatory remarks such as kickbacks, plotting, stealing, corrupt, scam, hijacking, skimming, crony and shady; all of which are demonstrable false and defamatory.
- 9) Further intimations have been made regarding diversion of public funds which is wholly untrue but which was obviously intended to make me sound like a common criminal.
- 10) Defendants have accused me of moving from "scam to scam" insinuating I have engaged in criminal and corrupt activity, despite all evidence to the contrary.
- 11) Without the relief requested my reputation will continue to suffer in both the short term and permanently.
- 12) There is no other relief available to me which can provide status quo or prevent more damage from such activities.
- 13) Any issue of surety should be dispensed with as the Defendants cannot and will not suffer any damages by this brief reprieve.
- 14) Defendants have already been put on notice of similar proceedings through a suit filed by Representative Householder.
- 15) Any attempt to contact Defendants to cease and desist will be futile as the service of same would take days, and the expected response would be to ignore the request.

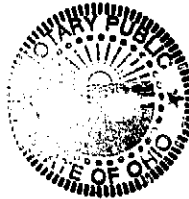
16) These Defendants gave Petitioner NO NOTICE before publishing to thousands of people the false, misleading and defamatory statements made about him and should thus not be afforded any such privilege as it relates to this matter.

FURTHER AFFIANTS SAYETH NAUGHT

  
James P. Trakas

Sworn to and subscribed to me in my presence by the above gentlemen personally known to me or by sufficient proof made this 1st day of October, 2018





**DAVID J. HORVATH, Attorney at Law**  
**Notary Public - State of Ohio**  
**My Commission has no expiration date**  
**Sec. 147.03 R.C.**